

PLANNING COMMISSION MEETING

City of Gardner, Kansas
Tuesday, June 23, 2020
7 p.m.

CALL TO ORDER

The meeting of the Gardner Planning Commission was called to order at 7:00 p.m. on Tuesday, June 23, 2020, by Chairman Scott Boden.

ROLL CALL

Commissioners present:

Chairman Boden
Commissioner Deaton
Commissioner Ford
Commissioner Hansen
Commissioner McNeer
Commissioner Meder
Commissioner Simmons-Lee

Staff members present:

Larry Powell, Director, Business & Economic Development
Robert Case, Planner
Kristie Hatley, Planning Technician
Spencer Low, City Attorney

The applicant of Prairie Trace was present via Zoom; there was 1 member of the public in attendance.

CONSENT AGENDA

1. **Approval of the minutes as written for the meeting on May 26, 2020.**

Motion made by McNeer and seconded by Ford.

Motion passed 7-0.

REGULAR AGENDA

1. **PRAIRIE TRACE MEADOWS**

Located southeast corner of W 175th Street and Interstate 35

- a. **FDP-20-02:** Consider a final development plan for 27 single-family lots, Phase I of Prairie Trace Meadows.
- b. **FP-20-02:** Consider a final plat for 12.76 acre Prairie Trace Meadows, First Plat.

Mr. Robert Case, Planner, presented the final development plan for the first phase of the Meadows in Prairie Trace Subdivision, following the information in the staff report. The staff has found this plan is generally in compliance with the preliminary development plan and is

consistent with various policies in the Comprehensive Plan. The proposed arrangement of buildings and open space is consistent with good planning and engineering practices and principles, the architecture and building design uses quality materials and the style is appropriate for the context. In addition, the County Airport Authority has sent this project to the County Commission with a favorable recommendation. There are three deviation requests:

1. **Section 17.08.030(A) Planting Requirements – Table 8-1; Other Open Areas Generally**
Standard: 1 tree per 10,000 sf
Proposed: 1 tree per lot
2. **Section 17.08.030(A) Planting Requirements – Table 8-1; Other Open Areas Generally**
Standard: 1 shrub per 5,000 sf
Proposed: 2 shrubs per lot
3. **Section 17.07.050(c) Frontage Design; Design Standards; Neighborhood Yard; Design and Performance Standards**
Standard: One small tree for every 50' of frontage; OR one medium or large tree for every 100' of frontage (in addition to required street trees)
Proposed: No frontage trees.

The applicant has stated that through the HOA, the lots will be required to spend a certain amount on landscaping and need flexibility because of the smaller 50' wide lots, 25' front yard setbacks and front loaded driveways - especially cul-de-sacs that would not allow adequate space for the large street trees to thrive. The applicant further states that the placement of 2 trees on the lots will provide vertical articulation. The Staff recommends approval of the deviation requests and approval of this plan with the conditions outlined in the motion.

Mr. Travis Schram, Grata Development/Applicant, spoke about the landscape deviations and said they wanted to add vertical articulation by trying to require large street trees instead of small frontage trees. The additional trees would be distributed throughout the lot instead of only in the front.

COMMISSION DISCUSSION:

Commissioner Hansen asked the approximate average size of the lots since the proposal is for 1 tree per lot instead of 1 tree per each 10,000 sf of lot.

Mr. Schram replied the lots are about 6,000 sf with one lot being 11,000 sf. He stated they wanted their builders to know the requirements would be the street tree plan and an additional tree on the lot along with 2 shrubs.

Hansen asked about the uncertainty the Commission had felt regarding the future HOA and no guarantee that the landscape standards would be kept up. He asked for reassurances from the applicant regarding this.

Mr. Schram replied his company would control the HOA until 80% of the lots were owned by homeowners. He said they had a vested interest in creating a quality development. The landscape requirements were included as stipulations on the final plat and they also will include a dollar amount per lot specific for landscape use.

Hansen said he saw this plan as meeting in the middle between the Code and the applicant's proposal during the April meeting and this was an improvement.

Mr. Schram agreed and said they were using the wrong mechanism in the past. By recording these things on the final plat the minimums will remain.

Commissioner Meder asked for clarification from staff that each lot would have one tree, two shrubs, the street tree but no frontage trees.

Mr. Larry Powell, Director of Business & Economic Development, said that was correct.

Meder commented she did not see trees in the backyards shown on the map even though the applicant's presentation mentioned them.

Mr. Schram replied the landscape plan only showed the frontage trees and not the other areas generally trees. The generally trees are not dictated to the front or the back. The large street trees proposed at 2" caliper will produce large canopies. The homeowner would have the flexibility to put the generally tree in the front or the back.

Meder asked about the size of the 285 species of native sapling trees that were planted.

Mr. Schram answered they are 12" tall and around 2500 were brought in and planted in the wetlands areas. They are native saplings and are located throughout the development. He hoped they will be in the 2'-3' range once the lots are being sold. When the last phases are built approximately eight years from now, these trees could be substantial. Various species were chosen with information provided by the Kansas Extension office.

Motion made after review of application FDP-20-02 a final development plan for Prairie Trace Meadows, on a portion of tax ID CF231429-3002 and final development plan dated April 17, 2020, and staff report dated April 28, 2020, the Planning Commission approves the application as proposed, provided the following conditions are met:

- 1. Revise the landscape plan to update the information regarding 177th Street to be a Collector-Standard Street.**
- 2. Potential condition regarding deviation #3 - remove condition if deviation to omit frontage trees is to be granted.**
- 3. Update the plans to reflect any approved deviations.**
- 4. Revise the plat to show utility or drainage easements between Lots 8 and 9, Lots 17 and 18, and Lots 19 and 20.**
- 5. Record a drainage easement by separate instrument for the storm sewer that is planned to be west of the phase boundary.**
- 6. Add a note to the face of the plan that states that the street geometry for New Century Parkway is conceptual in nature and shall be designed based on the recommendations from the Traffic Impact Study and shall gain approval from the Kansas Department of Transportation and City of Gardner.**
- 7. The applicant shall obtain approval of the final stormwater management plan from the Public Works Department.**
- 8. Applications Z-20-01, PDP-20-02 and PP-20-01 shall be approved/published and all conditions met prior to the release of any building permits for this application.**

9. **Provide a written agreement that Southern Star has reviewed the plans and agrees to the proposed street crossings and 10' concrete trail and associated easements to be located within their 66' gas pipeline easement.**
10. **The applications shall be reviewed and approved by the Johnson County Board of County Commissioners prior to the publication of an Ordinance by the City of Gardner Governing Body**

Motion by Ford and seconded by McNeer.

Motion passed 7-0.

Mr. Case continued on with the presentation on **FP-20-02**, the final plat for Prairie Trace Meadows, First Plat. Staff found the final plat in substantial compliance with the preliminary plat, with no deviations requested. The project, located within one mile of New Century AirCenter was reviewed by the Airport Authority and sent to the County Board of Commissioners with a favorable recommendation. No excise tax would be levied for this plat. Staff has recommended approval with the conditions outlined in the motion.

COMMISSION DISCUSSION:

No Discussion ensued.

After review of application FP-20-02, a final plat for Prairie Trace Meadows, a portion of tax ID CF231429-3002, and final plat dated May 19, 2020 and staff report dated May 26, 2020, the Planning Commission approves the application as proposed, provided the following conditions are met:

1. **Revise the plat to provide rear lot line dimensions for the lots on the east side of Houston Street.**
2. **Revise the plat to move the note about Tract A so it does not overlap lot area information.**
3. **Revise the plat to show utility or drainage easements between Lots 8 and 9, Lots 17 and 18, and Lots 19 and 20.**
4. **Provide a written agreement that Southern Star has reviewed the plans and agrees to the proposed street crossings and 10' concrete trail and associated easements to be located within their 66' gas pipeline easement.**
5. **Applications Z-20-01, PDP-20-02 and PP-20-01 shall be approved/published and all conditions met prior to the release of any building permits for this application.**
6. **The applications shall be reviewed and approved by the Johnson County Board of County Commissioners prior to the publication of an Ordinance by the City of Gardner Governing Body.**
7. **The applicant shall obtain approval of the final stormwater management plan from the Public Works Department prior to the release of the plat for recording.**
8. **The construction plans for any utilities, infrastructure, or public facilities shall meet all technical specifications and public**

improvement plans shall be submitted and approved prior to the release of the plat for recording.

- 9. The plat shall include landscaping on the plan to show one tree and two shrubs per lot along with the already stated street trees.**

and recommends the Governing Body accept the dedication of right-of-way and easements.

Motion by Meder and seconded by Deaton.

Motion passed 7-0.

2. PRAIRIE TRACE ESTATES

Located southeast corner of W 175th Street and Interstate 35

- a. **FDP-20-03:** Consider a final development plan for 27 single-family lots, Phase I of Prairie Trace Estates.
- b. **FP-20-03:** Consider a final plat for 17.93 acre Prairie Trace Estates, First Plat.

Mr. Case presented the information found in the staff report for Phase I of this project, a final development plan for the Estates. This phase consists of 27 lots and is part of a 136.05 acre development that will eventually include around 356 single family homes. He included photographs of elevations of similar housing. Staff has found the plan generally in compliance with the preliminary development plan and the project consistent with various policies in the Comprehensive Plan. The proposed arrangement of buildings and open space is consistent with good planning and engineering practices and principles and the architectural design uses quality materials and appropriate style for the context. The project was sent by the Airport Authority to the County Board of Commissioners with a favorable recommendation. There is one deviation request:

1. Section 17.07.050(c) Frontage Design; Design Standards; Neighborhood Yard; Design and Performance Standards

Standard: 1 small tree for every 50' of frontage; OR one medium or large tree for every 100' of frontage (in addition to required street trees)

Proposed: No trees in the frontage area

The applicant has stated that through the HOA, the lots will be required to spend a certain amount on landscaping to provide needed flexibility because of the smaller lots that have front loaded driveways. He also stated that all lots will be required to plant a large caliper street tree and an additional shrub. The Staff recommends approval of the deviation and of this final development plan, with the conditions outlined in the motion.

Mr. Travis Schram, Grada Development/Applicant, stated this plan was similar to the plans for the Meadows except the standards were increased since the lots were larger. There would be 3 shrubs and two generally open area trees per lot in addition to the street trees. The focus would be on larger trees and no small trees.

COMMISSION DISCUSSION:

Meder wanted confirmation that each lot would receive 3 shrubs and 2 trees.

This was confirmed by Mr. Schram.

Motion made After review of application FDP-20-03 a final development plan for Prairie Trace Estates, on a portion of tax ID CF231429-3002 and final development plan dated April 17, 2020, landscape plan dated April 21, 2020, and staff report dated April 28, 2020, the Planning Commission approves the application as proposed, provided the following conditions are met:

- 1. Revise the plans for the stormwater detention and “future trail” shown on Tract A in the plans to match the layout from page to page.**
- 2. Provide details regarding the pedestrian amenities in Tract A such as width of trail, materials, amenities, etc.**
- 3. Revise the plans to move the fire turning template and truck detail to another page.**
- 4. Revise the plan to remove the detail regarding easements and turn around at the bottom of the first page to only provide detail for the temporary turnaround.**
- 5. Revise the plans to reflect any approved deviations.**
- 6. Revise the landscape plan to update the information regarding Clare Road to be an Arterial-Standard Street type.**
- 7. Add a note to the face of the plans that pedestrian amenities shown in the current phase shall be completed prior to issuing building permits for the next phase.**
- 8. Change the note on Tract D that the pool and clubhouse area will be completed prior to Phase 5 development.**
- 9. Add a note to the face of the plan that states that the future street geometry for Clare Road is conceptual in nature and shall be designed based on the recommendations from the Traffic Impact Study and shall gain approval from the City of Gardner.**
- 10. Applications Z-20-01, PDP-20-02 and PP-20-01 shall be approved/published and all conditions met prior to the release of any building permits for this application.**
- 11. The applicant shall obtain approval of the final stormwater management plan from the Public Works Department.**
- 12. Provide a written agreement that Southern Star has reviewed the plans and agrees to the proposed street crossings and 10’ concrete trail and associated easements to be located within their 66’ gas pipeline easement.**
- 13. The applications shall be reviewed and approved by the Johnson County Board of County Commissioners prior to the publication of an Ordinance by the City of Gardner Governing Body**

Motion by McNeer and seconded by Ford.

Motion passed 7-0.

Mr. Case presented a lot layout for **FP-20-03**, the final plat for Prairie Trace Estates, First Plat. He stated this plat was in substantial compliance with the preliminary plat. There

were no deviations requested and no excise tax was to be levied for it. The project was located within one mile of New Century AirCenter and the plat was sent by the Airport Authority to the County Board of Commissioners with a favorable recommendation. Staff recommended approval of this final plat with the conditions outlined in the motion.

COMMISSION DISCUSSION:

Hansen asked for clarification on the removal of the text “JoCo Fire Pierce 100’ Ladder Truck” from the legal description.

Mr. Powell explained when a traffic study is done, the largest fire vehicle they may need to drive on that road is used to determine the feasibility of the plan. The condition about removing the text is to remove that label from the plat because it is unnecessary information.

Meder asked that a condition be added to the motion (condition number 5) that states each lot would receive 3 shrubs and 2 trees.

Motion made after review of application FP-20-03, a final plat for Prairie Trace Estates, First Plat, a portion of tax ID CF231429-3002, and final plat dated April 17, 2020, and staff report dated June 23, 2020, the Planning Commission approves the application as proposed, provided the following conditions are met:

- 1. Revise the plat to remove the “JOCO FIRE PIERCE 100’ LADDER TRUCK” text under the legal description.**
- 2. Applications Z-20-01, PDP-20-02 and PP-20-01 shall be approved/published and all conditions met prior to the release of any building permits for this application.**
- 3. The applicant shall obtain approval of the final stormwater management plan from the Public Works Department prior to the release of the plat for recording.**
- 4. The construction plans for any utilities, infrastructure, or public facilities shall meet all technical specifications and public improvement plans shall be submitted and approved prior to the release of the plat for recording.**
- 5. The plat shall include landscaping on the plan to show two trees and three shrubs per lot along with the already stated street trees.**

and recommends the Governing Body accept the dedication of right-of-way and easements.

Motion by Meder and seconded by Hansen.

Motion passed 7-0.

3. CULVERS RESTAURANT

Located southeast corner of W 175th Street and Interstate 35

SP-20-04: Consider a site plan for a 4,587 sf restaurant with a drive-thru to be located south and west of the intersection of 188th Street and Gardner Road.

Mr. Case presented this site plan for Lot 2 according to the information found in the staff report. The location is a vacant lot on the west side of Gardner Road and approximately 600' south of 188th Street. It is adjacent to a new QuikTrip approved earlier this year. Staff has found the site capable of accommodating the buildings, uses and other site design elements and is in substantial compliance with the Code. The design and arrangement of buildings and open space is consistent with good planning and landscaping design while the architecture and building design uses quality materials. The style is found to be appropriate for the context. Staff recommends approval of this site plan with the included conditions.

Mr. Will DuBois, Davidson Architecture and Engineering, was representing the owner and was available to answer any questions.

COMMISSION DISCUSSION:

No discussion ensued.

Motion made after review of Application SP-20-04, a site plan for Culvers, located on the west side of Gardner Road, approximately 600' south of 188th Street, and site plan dated May 8, 2020, and staff report dated June 23, 2020, the Planning Commission approves the application provided the following conditions are met:

- 1. The final plat for QuikTrip Store No. 0294 shall be recorded with the Johnson County Records and Tax Administration prior to the issuance of a building permit;**
- 2. Approval of the Traffic Impact Study and Stormwater Management Plan by the City Gardner Public Works Department prior to the issuance of a building permit; and**
- 3. Signage application approved.**

Motion by Hansen and seconded by McNeer.

Motion passed 7-0.

DISCUSSION ITEMS

No items discussed.

ADJOURNMENT

Motion to adjourn made by Ford and seconded by McNeer.

Motion passed 7-0.

Meeting adjourned at 8:03 pm.



Planning Commission

June 23, 2020

Name

Address

Will Debas Davidson Architects, 4301 INDIAN CREEK